

APPLICATION
MONROE COUNTY
PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT



Road Abandonment Petition

An application must be deemed complete and in compliance with the Monroe County Code by the Staff prior to the item being scheduled for review

Road Abandonment Application Fee: \$1,533.00

In addition to the application fee, the following fees also apply:
Advertising Costs: \$245.00

Date of Submittal: / /
 Month Day Year

Property Owner / Petitioner:

Agent (if applicable):

Name

Name

Mailing Address (Street, City, State, Zip Code)

Mailing Address (Street, City, State, Zip Code)

Daytime Phone

Daytime Phone

Email Address

Email Address

Description of roadway to be abandoned:

Petitioners seek the abandonment for the following reasons:

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Legal description of contiguous property in which the abandoned roadway would become part:
(If in metes and bounds, attach legal description on separate sheet)

| | | | |
|--|-----|-------------------------|--------------|
| Block | Lot | Subdivision | Key (Island) |
| Real Estate (RE) Number | | Alternate Key Number | |
| Street Address (Street, City, State, Zip Code) | | Approximate Mile Marker | |

Present use of the roadway to be abandoned: _____

Proposed use of the roadway to be abandoned: _____

Total land area of the roadway to be abandoned: _____

Please provide all reasons for why the county should grant the road abandonment (if necessary, attach additional sheets):

Abandonment of rights-of-way:

- (a) No dedicated and accepted right-of-way in the county can be abandoned where the right-of-way terminates on a body of open water.
- (b) In all other cases of abandonment, no right-of-way can be abandoned unless there is an agreement to do so by all affected property owners. For purposes of this subsection, an affected property owner is the owner of property which, if the right-of-way is abandoned, will:
 - (1) Have access which is currently used by that property owner eliminated; or
 - (2) Have the only platted access eliminated; or
 - (3) Have the paved area adjacent to that property increased for turn-around purposes; or
 - (4) Be increased in size.
- (c) The county commission considers these a restriction on the rights of individuals who desire to abandon properties in accordance with Florida Statutes Section 336.09.

***All of the following must be submitted in order to have a complete application submittal:**
(Please check as you attach each required item to the application)

- ☐ **Complete road abandonment application** (unaltered and unbound);
- ☐ **Correct fee** (check or money order to Monroe County Planning & Environmental Resources);
- ☐ **Legal description of the portion of the roadway to be abandoned in metes and bounds;**
- ☐ **Proof of ownership of the petitioner's property(s)** (i.e. Warranty Deed);

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- ☐ **Current Property Record Card(s) from the Monroe County Property Appraiser for the petitioner's property;**
- ☐ **Location map** (i.e. copy of strip map, aerial photograph);
- ☐ **Photograph(s) of the roadway to be abandoned;**
- ☐ **Signed and Sealed Survey of roadway to be abandoned and all adjoining properties, prepared by a Florida registered surveyor – 12 sets** (At a minimum, survey should include a legal description of the roadway; elevations; location and dimensions of all existing structures, paved areas and utility structures; roadways and easements; and all bodies of water on the site and adjacent to the site. The portion of the roadway to be abandoned should be marked with diagonal lines and the petitioner's property should be clearly delineated);
- ☐ **Letters of "No Objection" from all utility companies** (Florida Keys Aqueduct Authority (FKAA); Florida Keys Electric Cooperative (FKEC) or Keys Energy Services; telephone utility, gas utility, cable utility, wastewater treatment authority, etc.);
- ☐ **Letters of "No Objection" from all affected property owners** (an affected property owner is a) one who would have a means of access to his or her property closed off as a result of the abandonment even though he or she may not actually use the right-of-way prior to abandonment or b) one whose property abuts the portion of the roadway to be abandoned);
- ☐ **IF A CUL-DE-SAC OR "T-TYPE" TURNAROUND IS REQUIRED** to be constructed, it will be the responsibility of the Petitioner, if the road to be abandoned will result in an existing rock or paved road being shortened. See Monroe County Code §9.5-296(p). Your petition should specifically state your agreement to construct either the cul-de-sac or "T-type" turnaround per County Standard Specifications and Details. (Should you need additional information regarding this matter, please contact the Monroe County Engineering Department directly by phoning (305) 292-4426).

If applicable, the following must be submitted in order to have a complete application submittal:

- ☐ **Notarized Agent Authorization Letter** (note: authorization is needed from all owner(s) of the subject property)

If deemed necessary to complete a full review of the application, the Planning & Environmental Resources Department reserves the right to request additional information.

Petitioners agree to be responsible for and pay for all costs of advertising and recording fees incurred relative to this request for the abandonment. The filing of a petition does not entitle one to abandonment.

Petitioners further agree to grant any easement necessary for the furnishing of utilities, including without limitation, electric power, water, sewer, telephone, gas, cable and other electric communication services to the same extent as is common within this area as to height, width and degree, upon request for such service or by the BOCC through its authorized agents. If easements are so required, copies of the executed documents will be provided to the County before the petition is presented to the BOCC.

Petitioners certify that the road to be abandoned does not end at open water or that, if it does, the road is not a dedicated and accepted right-of-way (including by operation of law due to construction or maintenance by the County).

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We hereby petition the Honorable Board of County Commissioners to renounce and disclaim any right of the County and the public in and to the above-referenced street, alleyway, road or right-of-way as further depicted and described in the attachments.

By signing below, I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

Signature of Applicant: _____ **Date:** _____

Sworn before me this _____ day of _____

Notary Public
My Commission Expires

Please send the complete application package to the Monroe County Planning & Environmental Resources Department, Marathon Government Center, 2798 Overseas Highway, Suite 400, Marathon, FL 33050.